

Application No. 10/693,247
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REMARKS

The issues currently in the instant application are as follows:

- Claims 1-3, 5, 7, 9-16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub. No. 2003/0157923 (Tani) in view of U.S. Patent No. 6792284 (Dalsgaard) and further in view of U.S. Pub. No. 2004/0087305 (Jiang). Applicant traverses the outstanding rejection, and requests reconsideration and withdrawal thereof, in light of the remarks contained herein.

35 U.S.C. § 103(a) – Claims 1-3, 5, 7, 9-16, and 20 – Tani, Dalsgaard, and Jiang

Claims 1-3, 5, 7, 9-16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub. No. 2003/0157923 (Tani) in view of U.S. Patent No. 6792284 (Dalsgaard) and further in view of U.S. Pub. No. 2004/0087305 (Jiang).

Tani proposes an emergency call management apparatus and mobile station without contemplating the concept of different steering areas. Dalsgaard discusses cell resclection in a terminal for a cellular system without contemplating emergency call situations. Jiang proposes sending no Update Location message when a call is handed over to another cell that belongs to a different MSC (mobile switching center) but the same VLR (visitor location register). See Jiang paragraph [0151].

A location area is defined in 3GPP TS 23.002 V5.12.0 (2003-09) Section 3.8 as an area in which a mobile station may move freely without updating the VLR. Jiang paragraph [0151] states that if the subscriber moves from an MSC handled by one VLR to another MSC handled by the same VLR, then no location update is sent. Thus, Jiang is simply stating that no location update is sent if none is needed according to the definition of a location area. Additionally, Jiang paragraph [0151] also states that if the subscriber moves from an MSC handled by one VLR to another MSC handled by another VLR, then a location update is sent; this again is consistent with the definition of a location area.

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The Examiner points to paragraph [0154] of Jiang, which states that "If the network just hands over the call to another MSC, no new UL is sent. This happens because the original VLR/MSC still retains call control and just the radio part is handed over. The second VLR gets the subscriber information n from the earlier VLR." as teaching that Jiang does not require a location area update upon moving to a new call in a different location area. The sentence quoted above (and also quoted by the Examiner in the September 22, 2006 Office Action) refers to situation d), where a VLR or HLR fails. In this situation, the radio connection and the call control still exist, and the information within the failed VLR/HLR is sent to a second VLR/HLR. In other words, the old VLR/HLR information gets transferred to a back-up VLR/HLR. Handing over to another MSC in this situation does not place the MSC in a new location area. Thus, no new UL is sent, because the subscriber is still in the same location area (which is now being administered by a back-up VLR/HLR).

Claim 1 recites "changing to a new cell in a *different location area* than the first cell without performing a location area update and without performing a routing area update." The references that contemplate different location areas, Dalsgaard and Jiang, both state that an Update Location message is sent when a subscriber moves between different location areas. Thus, independent claim 1 is not unpatentable in view of the references cited. Claims 2-3, 5, 7, and 9-15 depend directly or indirectly from amended claim 1 and consequently are also patentable over the cited references.

Claim 16 recites "redirecting (or reselecting) to a new call in a different location area than the old cell and returning to step (a) without performing a steering area update" upon the fulfillment of one of three conditions. All of the references cited require a location area update upon moving to a new cell in a different location area. Thus, claim 16 is not unpatentable in view of the references cited.

Claim 20 recites "(b) changing to a new cell in a different location area than the old cell and returning to step (a) . . . wherein step (b) returns to step (a) without performing a steering area update." All of the references cited require a location area

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update upon moving to a new cell in a different location area. Thus, claim 20 is also not unpatentable in view of the references cited. Reconsideration and withdrawal of the rejection of claims 1-3, 5, 7, 9-16, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Tani, Dalsgaard, and Jiang is respectfully requested.

SUMMARY

The application is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicant's representative at the telephone number indicated below.

Please charge any fees associated herewith, including extension of time fees, to
Deposit Account 502117.

Respectfully submitted,

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